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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/911,816	07/24/2001	Kazuho Oku	13280-003001	6289
26161 7590 05/18/2007 FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER TAYLOR, NICHOLAS R	
			ART UNIT	PAPER NUMBER
			2141	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/911,816	<b>Applicant(s)</b> OKU, KAZUHO	
	<b>Examiner</b> Nicholas R. Taylor	<b>Art Unit</b> 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 2-9, 11, 13, 14, 20, 23-27 and 29-39 is/are pending in the application.
- 4a) Of the above claim(s) 29-32 and 35-37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-9, 11, 13, 14, 20, 23-27, 33, 34, 38 and 39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. <u>20070430</u> |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/14/07</u> | 6) <input type="checkbox"/> Other: _____   |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission, a preliminary amendment filed on April 12th, 2007, has been entered.

2. Claims 2-9, 11, 13, 14, 20, 23-27, 33, 34, 38, and 39 have been presented for examination and are rejected. Claims 29-32 and 35-37 are withdrawn from consideration.

### ***Election/Restrictions***

3. Newly submitted claims 29-32 and 35-37 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: the claims are directed to a method of client user interaction with a graphical interface to generate URL information to be sent to a remote server. The claims are distinct as a combination/subcombination usable together. The claims are classified separately in class 709, subclass 203.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 29-32 and 35-37 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

### ***Specification***

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: "program on a computer" as used in claim 20 has no antecedent basis, as the specification is silent as to the composition of a computer program.

### ***Response to Arguments***

5. Applicant's arguments filed April 12, 2007, and March 14th, 2007, with respect to the claims have been considered but are moot in view of the new grounds of rejection.

### ***Claim Objections***

6. The claims are objected to because of the following informalities:

Claim 2 states "locator locators" as amended.

Claims 3, 4, and 6 refer to "URL" in the singular, while the parent refers to them in the plural.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 2, 4, 6, 7, 11, 20, 23, and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically:

Claims 2, 7, 20, and 23 recite the limitation "gathering the contents of the predetermined subject." There is insufficient antecedent basis for this limitation in the claims. Additionally, in the currently amended form, there are omitted essential steps describing how the "predetermined" subject is created or obtained.

Claims 4, 6, and 7 recite the limitation "channel URL." There is insufficient antecedent basis for this limitation in the claims.

Claim 11 duplicates the limitation of parent claims 2 and 7 where the data server processes contents according to the specification of the portable terminal and then transmits them.

Claim 25 recites the limitation "request in (c)." There is insufficient antecedent basis for this limitation in the claim, as the preceding item (c) describes monitoring.

***Claim Rejections - 35 USC § 101***

9. 35 U.S.C. 101 reads as follows:

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Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10. Claim 20 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Specifically, the claim recites "program on a computer" where the specification is silent as to the composition of a "program." The specification does not provide evidence that the applicant intends the "program" to cover only statutory categories of invention and therefore this claim is not statutory. Without further definition, the claim terminology reasonably encompasses signals, waves, transmissions, links, or other nonstatutory mediums.

***Claim Rejections - 35 USC § 102***

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 33, 34, 38, and 39 are rejected under 35 U.S.C. 102(e) as being anticipated by Reisman (U.S. Patent 6,769,009).

13. As per claims 33, and 38, Reisman teaches a method comprising:

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at a data server, receiving two or more URLs that are transmitted from a portable terminal, (Reisman, where the portable terminal is described, e.g., in col. 26, lines 31-40; and col. 26, lines 30-40)

the two or more URLs being associated with a channel selected by a user of the portable terminal from among a plurality of channels; (Reisman, where the request is sent to the data server using URLs based on a channel, see col. 11, lines 55-68; col. 14, lines 29-37; col. 14, lines 45-65; col. 34, lines 15-57; col. 35, lines 27-55; col. 36, lines 1-38; and col. 45, lines 9-26)

at the data server, requesting contents from a plurality of web servers associated with the two or more URLs associated with the selected channel, and binding the contents into a single channel; and at the data server, transmitting the single channel of contents to the portable terminal (Reisman, where the data server completes the request from a plurality of web servers and the request is processed into a single channel of contents transmitted at single time; see col. 14, line 65 to col. 15, line 6; col. 36, lines 1-38; and col. 38, lines 41-50).

14. As per claims 34 and 39, Reisman teaches the system further wherein the data server transmits the single channel of contents to the portable terminal at one time (Reisman, where the data server completes the request from a plurality of web servers and the request is processed into a single channel of contents transmitted at single time, see col. 14, line 65 to col. 15, line 6; col. 36, lines 1-38; and col. 38, lines 41-50).

***Claim Rejections - 35 USC § 103***

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 2-7, 11, 13, 14, 20, and 23-27, are rejected under 35 U.S.C. 103(a) as being unpatentable over Reisman (U.S. Patent 6,769,009) and Bickmore et al. (U.S. Patent 6,857,102).

17. As per claims 2, 7, 20, and 23, Reisman teaches a system for receiving contents from a plurality of web servers and providing the contents to a portable terminal connected via a network, a contents-providing system comprising:

a user information database for storing user identification (ID) information;

an authentication server for performing authentication based upon the user ID information by using the user information database when the user ID information and (Reisman, col. 7, line 56-61; col. 14, lines 38-44; where user ID authentication method is described)

two or more uniform resource locators (URLs) associated with a channel are sent from the portable terminal, and outputting the two or more URLs after performing the authentication; (Reisman, where the request is sent to the data server using URLs based on a channel, see col. 11, lines 55-68; col. 14, lines 29-37; col. 14, lines 45-65; col. 34, lines 15-57; col. 35, lines 27-55; col. 36, lines 1-38; and col. 45, lines 9-26)

a data server to request contents from a plurality of web servers associated with the two or more URLs, processing the received contents into a predetermined format, gathering the contents of the predetermined subject, binding the gathered contents into a single channel, and transmitting the single channel of contents to the portable terminal (Reisman, where the portable terminal is described, e.g., in col. 26, lines 31-40; and col. 26, lines 30-40; and Reisman, where the data server completes the request from a plurality of web servers and the request is processed into a single channel of contents transmitted at single time, see col. 14, line 65 to col. 15, line 6; col. 36, lines 1-38; and col. 38, lines 41-50).

Reisman teaches the above, including the use of compression and decompression (Reisman, col. 13, lines 1-29), yet fails to specifically teach:

wherein the data server further comprises an image compressor for receiving the contents from the web server, and reducing the image sizes or a number of colors according to the specification of the portable terminal; and

a proxy unit for monitoring data transmitted by the web server, and when the contents transmitted by the web server include image information, calling the image compressor.

Bickmore teaches an image compressor that receives contents from a web server and reduces the images according to the specifications of a portable terminal (Bickmore, col. 9, lines 27-40 where the reduction is based on the display at col. 13, lines 7-23). Bickmore accomplishes this through the use of a proxy unit that monitors

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the data transmitted by the server and calls the image compressor as needed

(Bickmore, col. 12, lines 33-49).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Reisman and Bickmore to provide the reduction of Bickmore in the system of Reisman, because doing so would be ideal for providing broad access to web content from a wide range of devices by producing legible, navigable, and aesthetically pleasing content without a loss of information (Bickmore, col. 3, lines 55-60). Additionally, Reisman would benefit from increased use of compression and decompression, which result in superior efficiency when compared to standard Internet communication (Reisman, col. 52, lines 30-53).

18. As per claims 3 and 24, Reisman-Bickmore teaches the system further wherein the user information database stores user information corresponding to the user ID information, the authentication server extracts user information corresponding to the user ID information from the user information database and outputs the same with input URL when performing authentication based on the user ID information, and the system further comprises a billing server for settling fees for the contents provided by the web servers having the provided URLs based on the user information provided by the authentication server (Reisman, col. 56, line 46 to col. 57, line 5; col. 57, lines 28-54).

19. As per claims 4 and 25, Reisman-Bickmore teaches the system further wherein the billing server settles the respective fees of the web servers respectively

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corresponding to the channel URL when the URL provided by the portable terminal is the channel URL, the data server transmits the settlement results to the respective web servers corresponding to the URL of the channel URL when the settlement results of the billing server are provided, and the respective web servers determine the settlement results and when the settlement of the fees is performed and provide the corresponding contents to the data server (Reisman, col. 56, line 46 to col. 57, line 5; col. 57, lines 28-54).

20. As per claim 5, Reisman-Bickmore teaches the system wherein the data server requests the contents, the web server provides the contents to the data server in the case a user who accesses via the portable terminal is a service user who can receive the contents (Reisman, where the request is sent to the data server using URLs based on a channel, see col. 11, lines 55-68; col. 14, lines 29-37; col. 14, lines 45-65; col. 34, lines 15-57; col. 35, lines 27-55; col. 36, lines 1-38; and col. 45, lines 9-26).

21. As per claim 6, Reisman-Bickmore teaches the system further wherein the data server provides the user ID information provided by the authentication server to a plurality of web servers respectively corresponding to the URL of the channel URL, and the respective web servers request a password input for authenticating the service user when the data server requests the contents, and they perform authentication via the user's password and the user ID information input via the portable terminal (Reisman,

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col. 7, line 56-61; col. 14, lines 38-44; where user ID authentication method is described).

22. As per claim 11, Reisman-Bickmore teaches the system wherein the data server processes the contents according to a display specification of the portable terminal and transmits them (Bickmore, col. 9, lines 27-40 where the reduction is based on the display at col. 13, lines 7-23).

23. As per claim 13, Reisman-Bickmore teaches the system wherein the data server further comprises a filter for filtering information that is inappropriate or is not needed for the portable terminal among the contents provided by the web server (Reisman, col. 49, line 65 to col. 50, line 32).

24. As per claim 14, Reisman-Bickmore teaches the system wherein the data server further comprises a channel generator for binding a plurality of contents of a predetermined field provided by the web server into a single channel (Reisman, see col. 11, lines 55-68; col. 14, lines 29-37; col. 14, lines 45-65; col. 34, lines 15-57; col. 35, lines 27-55; col. 36, lines 1-38; and col. 45, lines 9-26).

25. As per claim 26, Reisman-Bickmore teaches the system wherein the method further comprises:

requesting a password from the portable terminal when a password input request for authenticating service users who can receive desired contents from a web server is generated according to the contents request; and providing the password to the web server and authenticating the service user when the password is provided to the portable terminal (Reisman, col. 7, line 56-61; col. 14, lines 38-44; where user ID authentication method is described).

26. As per claim 27, Reisman-Bickmore teaches the system wherein when it is determined that the corresponding user is a service user according to the password provided by the portable terminal in the step of providing the contents, the web server provides the contents to the user (Reisman, col. 7, line 56-61; col. 14, lines 38-44; where user ID authentication method is described).

27. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reisman (U.S. Patent 6,769,009) and Bickmore et al. (U.S. Patent 6,857,102), further in view of Kappel (U.S. Patent 5,905,736).

28. As per claims 8 and 9, Reisman-Bickmore teaches processing and transmitting contents provided by the web server and an authentication server that provides user information extracted from a user information database (Reisman, col. 7, line 56-61; col. 14, lines 38-44; where user ID authentication method is described).

However, Reisman-Bickmore fails to teach wherein the system further comprises an advertisement server for providing advertisement contents, wherein the advertisement server extracts the advertisement contents according to the user information provided by the data server and provides the advertisement contents to the data server, and the data server processes the advertisement contents provided by the advertisement server.

Kappel teaches an advertisement server that extracts advertisement content according to user information and provides the contents back to the data server, which then processes the contents (Kappel, col. 9, lines 47-67).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Reisman-Bickmore and Kappel to provide the advertisement server of Kappel in the system of Reisman-Bickmore, because doing so would allow additional revenue from advertisements targeting the users logged into the system (Kappel, col. 2, lines 53-55).


### ***Conclusion***

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Nicholas Taylor  
Examiner  
Art Unit 2141



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